

July 14, 2014

Mr. John Moody
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670

**SUBJECT: Comments on Tentative Waste Discharge Requirements
City of Sacramento Department of Utilities/
Sylvia Dellar Survivor's Trust
Dellar Landfill, Sacramento, California**

Dear Mr. Moody:

The City of Sacramento (City) and Sylvia Dellar Survivor's Trust (Dellar Trust), applicants for Waste Discharge Requirements (WDRs) for the Dellar Property, thank you for your willingness to discuss our comments on the Tentative WDRs, submitted on July 3, 2014. Both the City and the Dellar Trust agree with the RWQCB's proposed edits to the Tentative WDRs with the exception of Construction Specification F.4, regarding completion of the landfill cover adjacent to the American River Levee.

As outlined in attached Exhibit 2 to our July 3rd comments and letter from the Dellar Trust to be provided separately, we believe there would be no measurable benefit gained, from a water quality perspective, by completing the small cover area adjacent to the levee (less than 5,000 square feet of the 1 million square foot landfill). Therefore, the Trust and the City respectfully request further review and consideration by RWQCB regarding Construction Specification F.4 and other related Findings requiring completion of the cover adjacent to the levee.

We trust that the current proposed RWQCB edits will remain unchanged and appreciate that the attachments and other information presented to RWQCB will be considered prior to final adoption of the subject Tentative WDRs.

Sincerely,

City of Sacramento



Steve Harriman
Integrated Waste General Manager

Attachments

cc: Jeffory Scharff, Esq.

MEMORANDUM

To: Central Valley Regional Water Quality Control Board-
Attention: John Moody

From: Kathleen Rogan, Sr. Deputy City Attorney, City of Sacramento
Jeffory J.Scharff, Esq., Counsel - Sylvia Dellar Survivor's Trust

Date: July 2, 2014

Re: Tentative Waste Discharge Requirements
City of Sacramento Department of Utilities
Sylvia Dellar Survivor's Trust

The following comments are submitted jointly by the Sylvia Dellar Survivor's Trust (Trust) and the City of Sacramento (City), hereinafter the "Parties", with regard to tentative Waste Discharge Requirements Construction Specification F.4..

BACKGROUND

The Parties undertook compliance with Cleanup and Abatement Order No. R5-2008-0705. A Final Closure and Post-Closure Maintenance Plan (Plan) was submitted on July 22, 2011. On September 7, 2011, the Plan was found to be "acceptable" and, thereafter, construction commenced. The construction schedule contemplated two years for completion.

On August 1, 2012, an American River Flood Control District (ARFCD) superintendent advised that construction within 10 feet of the toe of the levee required a permit (see attached Exhibit A-Kleinfelder Daily Field Report dated 8/1/12). The Trust was informed that the permit process would take at least 4 months. However, the construction was to be completed and the Construction Quality Assurance (CQA) Report submitted to the Board staff by October 26, 2012.

After further discussions with the District, Kleinfelder developed an engineered alternative to the original Plan. The Plan was modified in a manner designed to meet the performance goal i.e. minimizing standing water to prevent infiltration. Working with District personnel, the cap begins 35 feet from the inland edge of the gravel levee road with alternate grading and drainage within the No Construction Zone (NCZ). The NCZ modified the Plan by an area of approximately 4,700 square feet.¹

On August 10, 2012, Todd Del Frate was advised of the proposed modification (Exhibit B-Appendix B to the October 26, 2012 Kleinfelder CQA Report). On August 16, 2012, Mr. Del Frate responded requesting an assessment as to the nature of the existing soil cover and underlying material within the NCZ (Exhibit C). The requested investigation was completed and a report of results was provided and discussed with Mr. Del Frate on August 27, 2012 (Ex. D). As part of the investigation six test pits were dug. The overlying 12 inches of soil was reported

¹ As noted by Mr. Del Frate's August 16, 2011 email, the affected area is 4,700 sq. ft. (16.8' x 280') Cf. Ex. C

as a dry silt. Of the six test pits, 3 were free of waste, 2 identified glass and metal and one asphalt. Also on August 27, 2012, Mr. Del Frate requested an inspection, which was tentatively scheduled through Tim Crandall P.E. of Kleinfelder (Ex. E). However, due to lack of available transportation for Mr. Del Frate, no inspection was ever conducted and work, as proposed to Mr. Del Frate, proceeded without further comment or objection (Ex. F).

As part of the Plan modification, Kleinfelder designed a drainage “break point” within the NCZ to minimize ponding or standing water and the potential for stormwater infiltration. Stormwater drains to the Eastern basin through a V ditch and to the west via a drop inlet that discharges into the Western basin.

American River Flood Control District Encroachment Permit

The ARFCD provides maintenance to the American River levee as part of the overall California Department of Water Resources flood control system. The ARFCD is part of the San Joaquin Valley Flood Protection Board (SVJFPB). ARFCD staff indicated that it would take four months for their Board to consider the application pursuant to DWR Form 3615 and Environmental Questionnaire 3615a, copies of which are attached as Exhibits G and H. If the District’s Board recommends approval of the application for an Encroachment Permit, it is submitted to the SJVFPB for further review and potential recommendation for approval. However, the SJVFPB decision is further predicated on evaluation by the U.S. Army Corps of Engineers (USACE). The process is without certainty as to the outcome or the length of time required.

DISCUSSION

The comments note there is no technical basis for placement of additional cover. They go on to state:

“It is our opinion that there would be no measurable benefit associated with completing this action from a technical and cost perspective.”

The comments also observe that the following objectives were achieved by the modification to the Plan in the NCZ adjacent to the levee during closure construction in 2012. Therefore, completion of the cover in the NCZ is not warranted as:

- The existing cover in the NCZ adjacent to the levee was finished with a slope greater than one percent.
- The existing cover in the NCZ has a slope that is not steeper than three horizontal to one vertical.
- The drainage from the existing cover in the NCZ is collected and routed to the detention basins consistent with Title 27, Section 20365(f).
- The existing cover in the NCZ is capable of handling.
 - A peak flow from a 100-year, 24-hour storm event.

- Capable of accommodating peak volumes a 100 year, 24-hour storm event.
- The existing cover in the NCZ is designed and maintained to prevent inundation or washout due to floods with a 100-year frequency.
- The existing cover in the NCZ prevents possible ponding, infiltration, inundation, erosion, slope failure, and washout under Title 27, Section 20365(a).
- The existing cover in the NCZ prevents ponding.

The Modified Plan Is An Engineered Alternative to WDR Construction Specification F. 4. Under Corrective Action Specification D. 3.

There is provision in the draft WDR to support the forgoing comments and conclusion in provision D. Corrective Action Specifications 3. This provision references 27 CCR 20080 (c), which states:

(c) To establish that compliance with prescriptive standards in this subdivision is not feasible for the purposes of ¶(b), the discharger shall demonstrate that compliance with a prescriptive standard either:

(1) is unreasonably and unnecessarily burdensome and will cost substantially more than alternatives which meet the criteria in ¶(b); or

(2) is impractical and will not promote attainment of applicable performance standards. The RWQCB *shall* consider all relevant technical and economic factors including, but not, and the extent to which ground water resources could be affected. limited to, present and projected costs of compliance, potential costs for remedial action in the event that waste or leachate is released to the environment

[Emphasis added]

These considerations are further discussed in 27 CCR 20080 (b) as follows:

(b) **Engineered Alternatives Allowed** -Unless otherwise specified, alternatives to construction or prescriptive standards contained in the SWRCB-promulgated regulations of this subdivision may be considered. Alternatives shall only be approved where the discharger demonstrates that:

(1) the construction or prescriptive standard is not feasible as provided in ¶(c); and

(2) there is a specific engineered alternative that:

(A) is consistent with the performance goal addressed by the particular construction or prescriptive standard; and

(B) affords equivalent protection against water quality impairment.

[Emphasis Added]

These are more fully discussed as follows, under subsection c of 20080 alternatives are allowed if the prescriptive standard is:

- unreasonably and unnecessarily burdensome

Here the City and Trust would be mandated to seek an Encroachment Permit through the ARFCD with approval from the SJVFPB and concurrence by the USACE. This despite the fact that there is no measurable benefit.

Nor will imposition of the prescriptive standard:

- . . . promote attainment of performance standards

The engineered alternative of the modified Plan as constructed is based on the design by Kleinfelder meet the applicable performance standard by eliminating standing water through conveyance of stormwater to the Western and Eastern Detention Basins.

And, the prescriptive standard:

- . . . will cost substantially more than alternatives . . .

The engineered alternative has been completed and meets the aforementioned performance standard. Any further mandate for additional construction will cost substantially more than the modification as constructed.

The Regional Water Quality Control Board is required to consider these provisions as noted in 27 CCR 202080 (c)(2):

“The RWQCB *shall* consider all relevant technical and economic factors including, but not limited to present and projected costs of compliance, . . . *and* the extent to which ground water resources could be affected”

The attendant cost of pursuing an Encroachment Permit is unknown. It will take months to be considered by the ARFCD, the SJVFPB and the USACE. There will be engineering costs, legal fees, and application fees in the face of significant uncertainty as to the likelihood for success in securing such a permit.

The uncertain nature of the outcome, the expense and the time required *shall* also be considered against relevant technical factors, which in this instance include the fact that the approved cap is a simple 24-inch soil cover. The investigation mandated by Board staff member Del Frate determined there is at least 12 inches of dry silty soil (a naturally low permeability soil type) over the area in question.

The NCZ is approximately 4,700 square feet. The total area of the former landfill is 23.9 acres (1,034,009 sq. ft.) The area in question represents less than 0.45 % of the total former landfill. Further, the modification to the approved Plan minimizes standing water through the drainage

design. As such, any resulting impact from stormwater events is *de minimus* in that imposition of the prescriptive standard demonstrates no measureable benefit.

The forgoing considerations meet the criteria of 27 CCR 20080(b) as an engineered alternative that is consistent with the performance goal of eliminating ponding water, minimizing infiltration in a manner that affords protection against water quality impairment. Moreover, for the reasons more fully set forth, it is respectfully submitted that the engineered alternative of the modified Plan as designed and constructed satisfies the provisions of D.3. in fulfillment of the directives of Construction Specification F.4..

Exhibit A



Daily Field Report

Project Name: Dellar Trust Property Closure

Date: 8/1/12

Project No.: 116081

Bldg. Permit No.:

DFR/Report No.:

Project Address: 28th st. Sacramento

Time Arrived: 7:00

Client:

Contractor: Veerkamp

Time Departed: 16:00

Equipment Observed: water truck 2 ea, D-6 Dozer, , 400 excavator, 350E haul trucks 3 ea., 615-C

Travel Time: included

Weather: Clear

Mileage: 24

Reviewed By: Tim Crandall

Date Reviewed:

Types of Tests/Observations

<input type="checkbox"/> AC Pavements	<input type="checkbox"/> Fabrication Plant	<input type="checkbox"/> Masonry	<input type="checkbox"/> Sample Pickup	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Anchor Bolts	<input type="checkbox"/> Fireproofing	<input type="checkbox"/> Metal Decking	<input checked="" type="checkbox"/> Soil / Aggregate	
<input type="checkbox"/> Batch Plant	<input type="checkbox"/> Foundations	<input type="checkbox"/> Pre-Post Tension	<input type="checkbox"/> Steel Erection	
<input type="checkbox"/> Concrete	<input type="checkbox"/> HS Bolting	<input type="checkbox"/> Reinforcing Steel	<input type="checkbox"/> Welding	

Documents Referenced:

Dellar Closure plan dated 5-9-12

Observations/Remarks:

07:00 on site, Veerkamp crews are excavating the channel/entrance road at the east basin; the D-6 is trimming slopes.

09:00 Justin Brewster (Veerkamp) is on site for meeting with Tim Crandall, Tim advises that he will be delayed approximately 1/2 hr.

The 350E haul trucks are placing cover material from the stock pile south of the radio tower, the material is placed in the south-east corner of the east basin to create a ramp for haul trucks, the ramp will be removed when the bottom of the basin is completed.

09:30 Tim Crandall on site, I met with Tim; Nate Hain (Veerkamp) and Justin Brewster (Veerkamp) regarding the north property line at the intersection with the levee, Tim met with representatives of the American River Flood Control District regarding construction with in the levee boundaries. Tim advises that all work including placement of fill will have to be stopped south of the south toe of the levee slope, this may require additional design work on the drain swale along the north side of the site. Fill is currently placed to approximately 35' south of the edge of the levee road. Tim reviewed the calculations for additional fill required for the change in elevation of the site as provided by Veerkamp. Tim clarified detention basin note #4 on sheet N-2 regarding the thickness of fill placed at the bottom intersection with the slopes at the east basin, the material should be 4' thick in all dimensions at the intersection, Veerkamp will over excavate the bottom of the slopes by 2' . I conducted an air sample with the Gem 2000; the instrument was calibrated with the span gas provided by the equipment supplier (Portagas lot # 948565, 50% Methane-35% Carbon Dioxide) in accordance with the manufactures instruction. Sample results O2 19.8% CH4 0% CO2 0%

10:30 hrs. All equipment moved to the east basin for over excavation of the slope bottoms. Waste material is placed south of the radio tower.

13:15 hrs. Mike Waldron Supervising Construction Inspector for the City of Sacramento on site, Nate Hain (Veerkamp) also present, Mike requested information regarding the project ,and was unaware of the scope of the project. I provided him with a copy of the notice to proceed from Ronald Fong (City of Sacramento) dated 7-2-12, and I advised that representatives from the City were present at the pre-construction meeting.

13:30 hrs. Mike returned to the site with the plans, he advised that he had not been notified of the project, I advised that a second detention basin had been constructed at the west side of the site over the past 3 weeks. I advised him to contact Tim Crandall's office for details regarding the project.

15:45 hrs. Over excavation of slopes at east basin complete. 350E trucks are hauling cover material from south of the tower to the south end of the basin, the material is placed with the D-6.

15:30 shut down.

☒ Report items comply ☐ Report items do not comply ☐ Report items comply with exceptions ☐ In Progress/Not Complete

Acknowledged by:

Representing:

Edward Cunha
Kleinfelder Representative Signature

Edward Cunha

Kleinfelder Representative Print Name

Exhibit B



August 10, 2012
File No.: 116081-12.4

Hand Delivered

Mr. Todd DelFrate
CVRWQCB-Sacramento
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

**Re: Dellar Trust Property Closure Construction Project
Sacramento, California**

Dear Mr. DelFrate:

A representative of the American River Flood Control District (ARFCD) contacted Kleinfelder on Monday, July 30th regarding the proximity of the Dellar Trust property closure construction to the American River levee. Kleinfelder met with the ARFCD on Tuesday (July 31) to discuss the issue. At the meeting we were told that construction within close proximity of the levee would require a permit from the ARFCD, a four month long process. Understanding that the Dellar project is under time constraints imposed by your agency, the ARFCD worked with Kleinfelder to develop an approach that would not require issuing a permit. The approach specified by the ARFCD establishes a no-construction zone that is 35 feet wide starting from the southern edge of the gravel levee road. The area of final cover affected by the no-construction zone is approximately 4,700 square feet (a strip 16.8 feet wide by 280 feet long). On Friday August 3, 2012, a letter was hand delivered to Mr. Tim Kerr, General Manager of the ARFCD, documenting the approach (Attachment A). The ARFCD reviewed the document and on August 7, 2012, issued a letter accepting the approach (Attachment B).

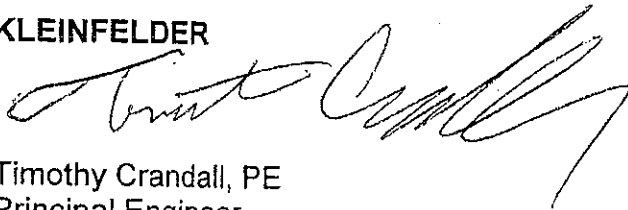
As a result, the northern toe of the final cover was moved as shown in the revised grading plan (Attachment C). This new version of the grading plan also shows some minor topographic changes needed to obtain a better earthworks balance for the project and to improve drainage. Plate 1 (attached) shows a cross-section comparing the original design and the revised design at the northern end of the Dellar property between the radio tower and the gravel levee road. There is little difference between the original design and the revised design.

We have continued with construction using the revised grading plan. I have been instructed by the Trustee to request your written approval of this modification to the grading plan. This letter is subject to the limitations in Attachment D.

Please contact us if you have any questions or require additional information.

Sincerely,

KLEINFELDER



Timothy Crandall, PE
Principal Engineer

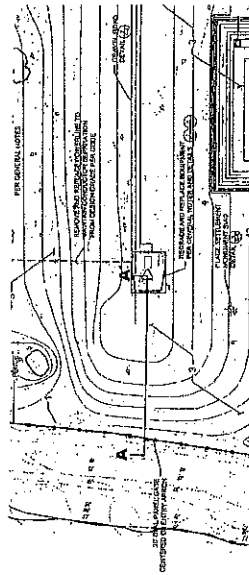
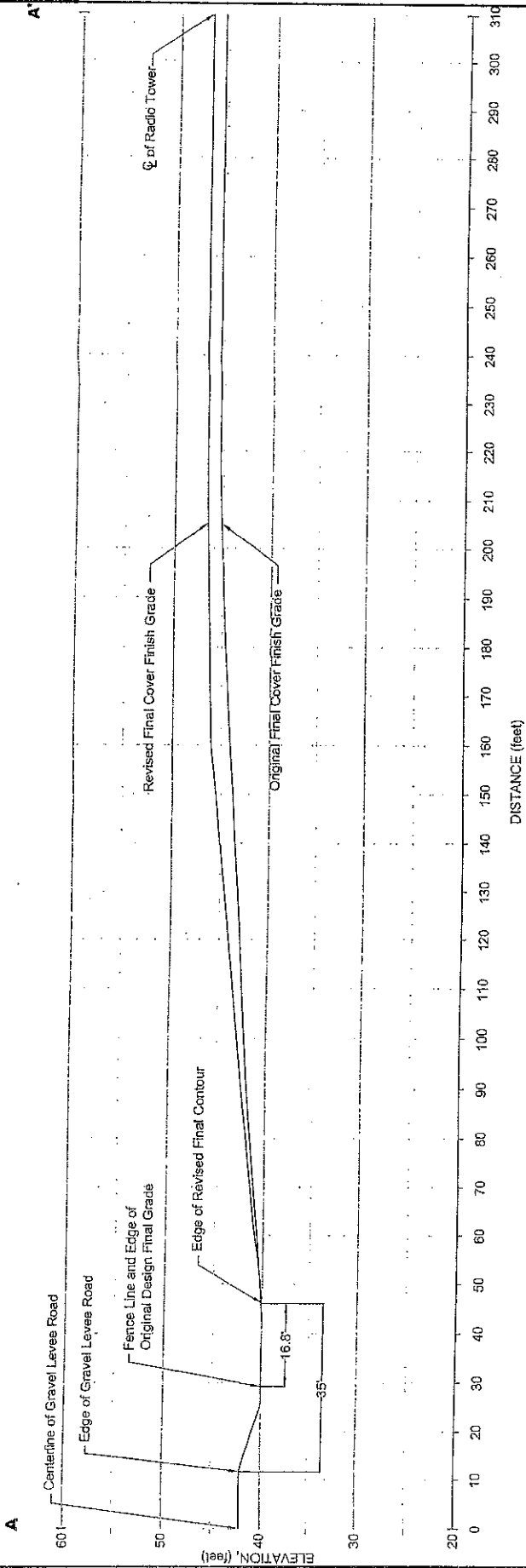
Attachments:

Plate 1


Attachments A through D

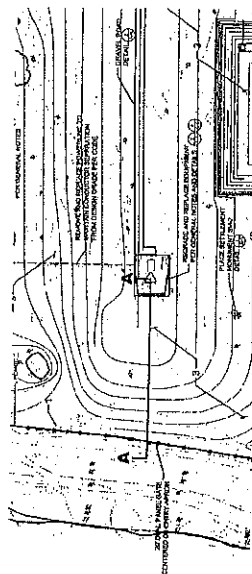
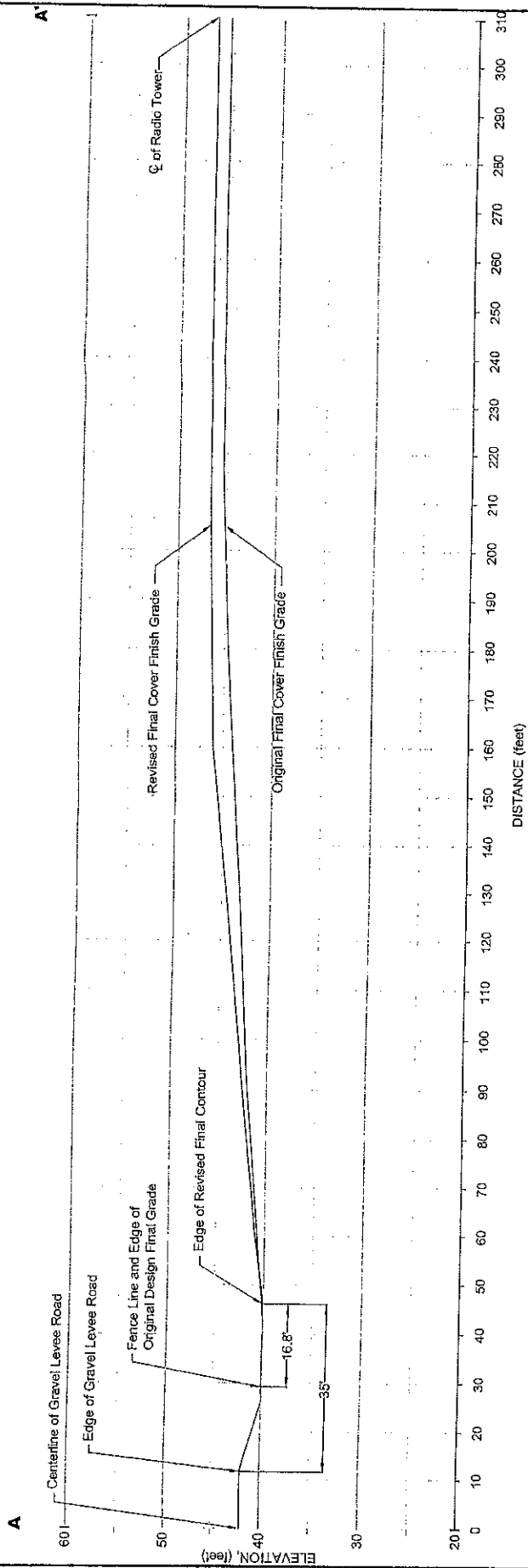
cc: Jeffory J. Scharff, Esq.
Karl Kurka, City of Sacramento


August 10, 2012



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 KLEINFELDER Bright People. Right Solutions. www.kleinfelder.com	PROJECT NO. 115081	PLATE
	DRAWN: 08/09/2012	FINAL COVER COMPARISON OF ORIGINAL AND REVISED FINISH GRADE AT NORTH END OF PROPERTY 1
	DRAWN BY: D. Ross	
	CHECKED BY: T. Campbell	
FILE NAME: cross section-1.dwg		DELAN TRUST PROPERTY SACRAMENTO, CALIFORNIA



 KLEINFELDER <i>Bright People. Right Solutions.</i> www.kleinfelder.com	PROJECT NO.	116081	FINAL COVER COMPARISON OF ORIGINAL AND REVISED FINISH GRADE AT NORTH END OF PROPERTY	1 DELAR TRUST PROPERTY SACRAMENTO, CALIFORNIA
	DRAWN BY:	D. Ross		
	CHECKED BY:	T. Orndall		
	FILE NAME:	cross section-1.dwg		

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Exhibit C

From: Tim Crandall <TCrandall@kleinfelder.com>
Subject: **FW: Dellar Property**
Date: August 16, 2012 3:58:52 PM PDT
To: Jeffory Scharff <jscharff@scharff.us>
1 Attachment, 8.0 KB

FYI

Timothy Crandall
Principal Engineer
3077 Fite Circle
Sacramento, CA 95827
o| 916.366.1701
c| 916.416.8887



From: DelFrate, Todd@Waterboards [mailto:Todd.DelFrate@waterboards.ca.gov]
Sent: Thursday, August 16, 2012 3:16 PM
To: Tim Crandall
Cc: Wyels, Wendy@Waterboards
Subject: Dellar Property

Tim, based on our telephone conversation today, staff understands that the American River Flood Control District has placed construction restrictions at the north end of the Dellar LF where landfill waste is assumed to overlie the levee. The area of final cover affected by this condition is approximately 4700 square feet (16.8 feet wide by 280 feet long). According to the revised plan submitted, the existing soil thickness over the area defined now as the "no construction" zone is unknown and the thickness of waste is also unknown. To determine this, staff has requested Dellar conduct an investigation by potholing or other accepted method so as not to trigger a permitting requirement by the American River Flood Control District. Also, staff has required additional specifications as to how the revised area will drain precipitation and ensure that waste beneath the existing soil cover will not become a threat to water quality. The other option to revising the closure cover plan already approved is to apply for a permit from the Flood District, which staff understands can take up to 4 months to process and receive approval. If a permit is granted, the overlying waste could be excavated and moved into the landfill waste mass. This email is to document our conversation and understanding of the recent development and is not an approval of the revised closure cover design submitted. That will be determined when staff discusses the new developments with management. If you have any questions please call me.

TODD A. DEL FRATE, P.G.
Engineering Geologist
Title 27 Compliance and Enforcement Unit
Waste Discharge To Land

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Exhibit D

From: Tim Crandall <TCrandall@kleinfelder.com>
Subject: RE: Dellar Property
Date: August 27, 2012 12:31:53 PM PDT
To: "DelFrate, Todd@Waterboards" <Todd.DelFrate@waterboards.ca.gov>
1 Attachment, 8.0 KB

Todd, we did move forward with an investigation. We did some test pitting in the no-construction zone last Thursday afternoon and I am now working on a letter report for you that will also include information on runoff as requested. In a nutshell, we dug 6 test pits. 3 were free of waste to a depth of 3 feet. One had waste (asphalt) at a depth of 27 inches. The remaining 2 pits had waste (glass and metal) in a soil matrix starting at a depth of one foot below the ground surface.

Timothy Crandall
Principal Engineer
3077 Fite Circle
Sacramento, CA 95827
o| 916.366.1701
c| 916.416.8887



From: DelFrate, Todd@Waterboards [mailto:Todd.DelFrate@waterboards.ca.gov]
Sent: Monday, August 27, 2012 11:48 AM
To: Tim Crandall
Cc: Wyels, Wendy@Waterboards
Subject: RE: Dellar Property

Tim, what is the status and are you moving this forward. I haven't heard from Jeff Scharff nor the City attorney. Why so quiet? Please advise. Are you collecting additional information as requested below, and with construction season coming to a close, I would like to know what your side is thinking. Please advise.

From: DelFrate, Todd@Waterboards
Sent: Thursday, August 16, 2012 3:16 PM
To: 'tcrandall@kleinfelder.com'
Cc: Wyels, Wendy@Waterboards
Subject: Dellar Property

Tim, based on our telephone conversation today, staff understands that the American River Flood Control District has placed construction restrictions at the north end of the Dellar LF where landfill waste is assumed to overlie the levee. The area of final cover affected by this condition is approximately 4700 square feet (16.8 feet wide by 280 feet long). According to the revised plan submitted, the existing soil thickness over the area defined now as the "no construction" zone is unknown and the thickness of waste is also unknown. To determine this, staff has requested Dellar conduct an investigation by potholing or other accepted method so as not to trigger a permitting requirement by the American River Flood Control District. Also, staff has required additional specifications as to how the revised area will drain precipitation and ensure that waste beneath the existing soil cover will not become a threat to water quality. The other option to revising the closure cover plan already approved is to apply for a permit from the Flood District, which staff understands can take up to 4 months to process and receive approval. If a permit is granted, the overlying waste could be excavated and moved into the landfill waste mass. This email is to document our conversation and understanding of the recent development and is not an approval of the revised closure cover design.

submitted. That will be determined when staff discusses the new developments with management. If you have any questions please call me.

TODD A. DEL FRATE, P.G.
Engineering Geologist
Title 27 Compliance and Enforcement Unit
Waste Discharge To Land

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Exhibit E

From: Tim Crandall <TCrandall@kleinfelder.com>
Subject: RE: Dellar LF construction site inspection
Date: August 27, 2012 12:33:52 PM PDT
To: "DelFrate, Todd@Waterboards" <Todd.DelFrate@waterboards.ca.gov>
1 Attachment, 8.0 KB

I would love to have you come out for a site inspection. I have a meeting between 11 and 2 on Wednesday but other than that I am currently free on Wednesday and Thursday.

Timothy Crandall
Principal Engineer
3077 Fite Circle
Sacramento, CA 95827
o| 916.366.1701
c| 916.416.8887



From: DelFrate, Todd@Waterboards [mailto:Todd.DelFrate@waterboards.ca.gov]
Sent: Monday, August 27, 2012 11:52 AM
To: Tim Crandall
Cc: Wyels, Wendy@Waterboards
Subject: Dellar LF construction site inspection

Tim, I would like to conduct a site inspection of the Dellar Property this week. Wednesday or Thursday. Can you plan to meet me there. I will confirm in follow up email. Thank you.

TODD A. DEL FRATE, P.G.
Engineering Geologist
Title 27 Compliance and Enforcement Unit
Waste Discharge To Land

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Version: 2012.0.2197 / Virus Database: 2437/5227 - Release Date: 08/27/12

Exhibit F

From: Tim Crandall <TCrandall@kleinfelder.com>
Subject: FW: Dellar LF construction site inspection
Date: August 27, 2012 4:36:13 PM PDT
To: Jeffory Scharif <jscharff@scharff.us>
▶ 1 Attachment, 8.0 KB

Jeff, we are still up in the air regarding Todd's visit, see below.

Timothy Crandall
Principal Engineer
3077 Fite Circle
Sacramento, CA 95827
o| 916.366.1701
c| 916.416.8887



From: DelFrate, Todd@Waterboards [mailto:Todd.DelFrate@waterboards.ca.gov]
Sent: Monday, August 27, 2012 1:25 PM
To: Tim Crandall
Subject: RE: Dellar LF construction site inspection

Tim, I am having trouble securing a vehicle for inspection. If something breaks free then this week should work. If not, lets plan on next week. I will confirm with you ahead of time.

From: Tim Crandall [mailto:TCrandall@kleinfelder.com]
Sent: Monday, August 27, 2012 12:34 PM
To: DelFrate, Todd@Waterboards
Subject: RE: Dellar LF construction site inspection

I would love to have you come out for a site inspection. I have a meeting between 11 and 2 on Wednesday but other than that I am currently free on Wednesday and Thursday.

Timothy Crandall
Principal Engineer
3077 Fite Circle
Sacramento, CA 95827
o| 916.366.1701
c| 916.416.8887



Exhibit G

**APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD
ENCROACHMENT PERMIT**

6. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

Name

Address

Zip Code

7. Has an environmental determination been made of the proposed work under the California Environmental Quality Act of 1970? ☐ Yes ☐ No ☐ Pending

If yes or pending, give the name and address of the lead agency and State Clearinghouse Number:

SCH No. _____

8. When is the project scheduled for construction? _____

9. Please check exhibits accompanying this application.

- A. ☐ Regional and vicinity maps showing the location of the proposed work.
- B. ☐ Drawings showing plan view(s) of the proposed work to include map scale.
- C. ☐ Drawings showing the cross section dimensions and elevations (vertical datum?) of levees, berms, stream banks, flood plain,
- D. ☐ Drawings showing the profile elevations (vertical datum?) of levees, berms, flood plain, low flow, etc.
- E. ☐ A minimum of four photographs depicting the project site.

Signature of Applicant

Date

Include any additional information:

Exhibit H

**ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS**

This environmental assessment questionnaire must be completed for all Central Valley Flood Protection Board applications. Please provide an explanation where requested. Incomplete answers may result in delays in processing permit applications. Failure to complete the questionnaire may result in rejection of the application.

1. Has an environmental assessment or initial study been made or is one being made by a local or State permitting agency in accordance with the California Environmental Quality Act? ☐ Yes ☐ No

If yes, identify the Lead Agency, type of document prepared or which will be prepared, and the State Clearinghouse Number:

2. Will the project require certification, authorization or issuance of a permit by any local, State or federal environmental control agency? ☐ Yes ☐ No

List all other governmental permits or approvals necessary for this project or use, including U.S. Army Corps of Engineer' 404 and Section 10 permits, State Water Quality Certification, Department of Fish and Game 1600 agreement, etc. Attach copies of all applicable permits.

3. Give the name and address of the owner of the property on which the project or use is located. Please submit a copy of your current Title Report (Grant Deed), if your proposed project includes a private residence.

4. Will the project or use require issuance of a variance or conditional use permit by a city or county?

☐ Yes ☐ No

Explain:

5. Is the project or use currently operating under an existing use permit issued by a local agency?

☐ Yes ☐ No

Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
FOR CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMITS

6. Describe all types of vegetation growing on the project site, including trees, brush, grass, etc.

7. Describe what type of wildlife or fish may use the project site or adjoining areas for habitat, food source, nesting sites, source of water, etc.

8. Has the Department of Fish and Game, U.S. Fish and Wildlife Service, or National Marine Fisheries Service been consulted relative to the existence of, or impacts to, threatened or endangered species on or near the project site?

☐ Yes ☐ No

Explain:

9. Will the project or use significantly change present uses of the project area?

☐ Yes ☐ No

Explain:

10. Will the project result in changes to scenic views or existing recreational opportunities?

☐ Yes ☐ No

Explain:

11. Will the project result in the discharge of silt or other materials into a body of water?

☐ Yes ☐ No

Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
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12. Will the project involve the application, use, or disposal of hazardous materials? ☐ Yes ☐ No

If yes, list the types of materials, proposed use, and disposal plan. Provide copies of all applicable hazardous material handling plans.

13. Will construction activities or the completed project generate significant amounts of noise?

☐ Yes ☐ No

Explain:

14. Will construction activities or the completed project generate significant amounts of dust, ash, smoke, fumes, or odors?

☐ Yes ☐ No

Explain:

15. Will the project activities or uses involve the burning of brush, trees, or construction materials, etc?

☐ Yes ☐ No

Explain, and identify safety and air pollution control measures:

16. Will the project affect existing agricultural uses or result in the loss of existing agricultural lands?

☐ Yes ☐ No

Explain:

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE FOR APPLICATIONS
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17. Have any other projects similar to the proposed project been planned or completed in the same general area as the proposed project?

☐ Yes ☐ No

Explain and identify any other similar projects:

18. Will the project have the potential to encourage, facilitate, or allow additional or new growth or development?

☐ Yes ☐ No

Explain:

19. Will materials be excavated from the floodplain? ☐ Yes ☐ No If yes, please answer the remaining questions.

**THE REMAINING QUESTIONS MUST ONLY BE ANSWERED IF THE ANSWER TO QUESTION
NO. 19 WAS "YES". IF THE ANSWER TO QUESTION NO. 19 WAS "NO", YOU DO NOT
NEED TO COMPLETE THE REMAINING QUESTIONS.**

- A. What is the volume of material to be excavated?

Annually _____ Total _____

- B. What types of materials will be excavated?

- C. Will the project site include processing and stockpiling of material on site?

☐ Yes ☐ No

Explain:

- D. What method and equipment will be used to excavate material?

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E. What is the water source for the project?

F. How will waste materials wash water, debris, and sediment be disposed of?

G. What is the proposed end land use for the project site?

H. Has a reclamation plan been prepared for this site in accordance with the Surface Mining and Reclamation Act of 1975?

☐ Yes ☐ No If yes, please attach a copy.